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PTO/SB/05 (4/98)

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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> (Only for nonprovisional applications under 37 C.F.R. § 1.53(b))	<b>Attorney Docket No.</b>	<b>249/075</b>
	<b>First Inventor or Application Identifier</b>	<b>Charles S. Taylor</b>
	<b>Title</b>	<b>Access Platform for Internal Mammary Dissection</b>
	<b>Express Mail Label No.</b>	<b>EL508737254US</b>

<b>APPLICATION ELEMENTS</b> See MPEP chapter 600 concerning utility patent application contents.	<b>ADDRESS TO:</b> Assistant Commissioner for Patents Box Patent Application Washington, DC 20231
1. <input type="checkbox"/> * Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing)	5. <input type="checkbox"/> Microfiche Computer Program (Appendix)
2. <input checked="" type="checkbox"/> Specification [Total Pages <u>74</u> ] (preferred arrangement set forth below) <ul style="list-style-type: none"><li>- Descriptive title of the Invention</li><li>- Cross References to Related Applications</li><li>- Statement Regarding Fed sponsored R &amp; D</li><li>- Reference to Microfiche Appendix</li><li>- Background of the invention</li><li>- Brief Summary of the Invention</li><li>- Brief Description of the Drawings (if filed)</li><li>- Detailed Description</li><li>- Claim(s)</li><li>- Abstract of the Disclosure</li></ul>	6. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) <ul style="list-style-type: none"><li>a. <input type="checkbox"/> Computer Readable Copy</li><li>b. <input type="checkbox"/> Paper Copy (identical to computer copy)</li><li>c. <input type="checkbox"/> Statement verifying identity of above copies</li></ul>
3. <input checked="" type="checkbox"/> Formal Drawings(s) (35 U.S.C. 113) [Total Sheets <u>62</u> ]	<b>ACCOMPANYING APPLICATION PARTS</b>
4. <input type="checkbox"/> Oath or Declaration [Total Pages ____] <ul style="list-style-type: none"><li>a. <input type="checkbox"/> Newly executed (original or copy)</li><li>b. <input type="checkbox"/> Copy from a prior application (37 C.F.R. § 1.63(d))</li><li>i. <input type="checkbox"/> <b>DELETION OF INVENTORS</b> Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).</li></ul>	7. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))
<b>NOTE FOR ITEMS 1 &amp; 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28)</b>	8. <input type="checkbox"/> 37 C.F.R. §3.73(b) Statement <input type="checkbox"/> Power of Attorney (when there is an assignment)
16. If a <b>CONTINUING APPLICATION</b> , check appropriate box, and supply the requisite information below and in a preliminary amendment: <ul style="list-style-type: none"><li><input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No.: <u>09/385,812</u></li><li>Prior application information: Examiner <u>                    </u> Group/Art Unit <u>3731</u></li></ul> For <b>CONTINUATION</b> or <b>DIVISIONAL APPS</b> only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.	9. <input type="checkbox"/> English Translation Document (if applicable)
<b>17. CORRESPONDENCE ADDRESS</b>	10. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS/PTO-1449) <input type="checkbox"/> Copies of IDS Citations
<input checked="" type="checkbox"/> Customer Number or Bar Code Label <b>22249</b> (Insert Customer No. or Attach bar code label here)	11. <input type="checkbox"/> Preliminary Amendment
Name <b>Lyon &amp; Lyon LLP</b>	12. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)
Address <b>633 West Fifth Street, Suite 4700</b>	13. <input type="checkbox"/> Small Entity Statement(s) (PTO/SB/09-12) <input type="checkbox"/> Statement filed in prior application, status still proper and desired.
City <b>Los Angeles</b> State <b>California</b> Zip Code <b>90071-2066</b>	14. <input type="checkbox"/> Certified copy of Priority Document(s) (if foreign priority is claimed)
Country <b>                    </b> Telephone <b>(949) 567-2300</b> Fax <b>(213) 955-0440</b>	15. <input checked="" type="checkbox"/> Other: <u>PRELIMINARY STATEMENT</u>

Name (Print/Type)	<b>Kenneth S. Roberts</b>	Reg. No. (Attorney/Agent)	<b>38,283</b>
Signature	<i>Kenneth S. Roberts</i>	Date	<b>January 10, 2000</b>

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Charles S. Taylor, et al.

Serial No.: Not Assigned

Filed: Herewith

For: ACCESS PLATFORM FOR  
INTERNAL MAMMARY  
DISSECTION

)  
) **Group Art Unit:** Not Assigned

)  
) **Examiner:** Not Assigned

PRELIMINARY STATEMENT

BOX PATENT APPLICATION

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This application is a continuation of co-pending U.S. Application Serial No. 09/385,812, filed August 30, 1999, which is a continuation of U.S. Application Serial No. 08/903,516, filed July 30, 1997, now issued as U.S. Patent No. 5,944,736, which in turn is a continuation of U.S. Application Serial No. 08/787,748, filed January 27, 1997, now abandoned, which in turn is a continuation-in-part of U.S. Application Serial No. 08/619,903, filed March 20, 1996, now issued as U.S. Patent No. 5,976,171, which in turn is a continuation-in-part of co-pending U.S. Application

OC-41876.1

CERTIFICATE OF MAILING  
(37 C.F.R. §1.10)

I hereby certify that I have a reasonable basis to expect this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

EL508737254US

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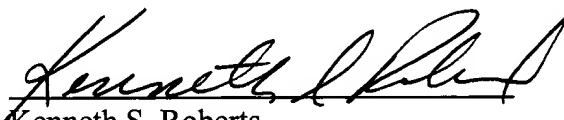
Serial No. 08/604,161, filed on February 20, 1996, now issued as U.S. Patent No. 5,703,757, this disclosures of which are incorporated herein by reference as if set forth in full.

Claims 1-18, were substantially copied from Rastegar et al., Patent No. 5,882,299 ("Rastegar '299"), to provoke an interference between the subject application and Rastegar '299. A Request for Interference under 37 CFR § 1.607 will be filed shortly.

Respectfully submitted,

LYON & LYON LLP  
Attorneys for Applicants

Dated: January 10, 2000

By:   
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